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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,667	08/05/2003	Shigeru Kojima	Q76725	5300

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EXAMINER

BLOUIN, MARK S

ART UNIT PAPER NUMBER

2653

DATE MAILED: 02/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/633,667	Applicant(s) KOJIMA ET AL.	
	Examiner Mark Blouin	Art Unit 2653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Detailed Action

Claim Objections

1. Claim 4 is objected to because of the following informalities: On line 22, "fist" should be changed to "first". Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Takizawa et al (USPN 5,995,479).
4. Regarding Claims 1-3, Takizawa et al shows (Fig.7), an optical pickup apparatus comprising an optical pickup (1) adapted to irradiate a light on an information recording face of a recording medium (33) and read out information recorded on the information recording face, a feed screw (14) adapted to move the optical pickup in a radial direction of the recording medium, guide shaft (3) arranged to be in parallel with the feed screw and adapted to support and guide a movement of the optical pickup, a drive motor (17) adapted to drive the feed screw so as to move the optical pickup along the guide shaft, a skew adjusting mechanism (6) adapted to move each of the feed screw and the guide shaft so as to adjust a skew of the optical pickup with respect to the information recording face of the recording medium, wherein the feed screw and drive shaft are on the lower side of the optical pickup.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takizawa et al (USPN 5,995,479) in view of Moriyama (USPub 2001/0022772).

7. Regarding Claims 4 and 5, Takizawa et al shows (Fig. 7) the optical pickup apparatus, wherein the skew adjusting mechanism (6) comprises a first support member (29) adapted to support a first end portion of the feed screw located on an inner circumferential side of the information recording face of the recording medium, a second support member (26) adapted to support a second portion of the feed screw located on an outer circumferential side of the information recording face, a first elastic support member (7) adapted to support a first end portion of the guide shaft (3b) located on the inner circumferential side of the information recording face, and a third elastic support member (24) adapted to support the second support member and the drive motor, wherein the skew adjusting mechanism further comprises a first adjusting screw (22) adapted to move the third elastic support member (24) in direction perpendicular to the information recording face, a second adjusting screw (9) adapted to move the first end portion of the guide shaft (3b) in a direction perpendicular to the information recording face.

Takizawa et al does not show a second elastic support member adapted to support a second end portion of the guide shaft located on of the information recording face and a third

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adjusting screw adapted to move the second end portion the guide shaft direction perpendicular to the information recording face.

Moriyama shows (Fig. 6) a second elastic support member (90) adapted to support a second end portion of the guide shaft (4) located on an outer circumferential side of the information recording face and a third adjusting screw (6) adapted to move the second end portion the guide shaft direction perpendicular to the information recording face.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the head adjusting apparatus of Takizawa et al with the elastically adjustable support of Moriyama. The rationale is as follows: One of ordinary skill in the art at the time the invention was made would have been motivated to provide the head adjusting apparatus of Takizawa et al with the elastically adjustable support of Moriyama in order to adjust the angle of the optical axis.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is (703) 305-5629. The examiner can normally be reached M-F, 6:00 am – 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful the examiner's supervisor, William Korzuch can be reached at (703) 305-6137. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314 for regular and After Final communications.

Any inquiry of general nature or relating to the status of application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

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A handwritten signature in black ink, appearing to read 'M. Blouin', with a long horizontal stroke extending to the right.

Mark Blouin
Patent Examiner
Art Unit 2653
January 31, 2005

A handwritten signature in black ink, appearing to read 'William Klimowicz', with a stylized 'W' and 'K'.

WILLIAM KLIMOWICZ
PRIMARY EXAMINER